

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

Attorney's Docket Number

(Includes Reference to PCT International Application(s))

50179-055

As below named Inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ALTERATION OF MICROBIAL POPULATIONS IN THE GASTROINTESTINAL TRACT

the specification, of which:

 is attached hereto. was filed as United States application Serial No. 09/155,116on September 21, 1998

and was amended on _____ (if applicable).

 was filed as PCT international application Number PCT/AU97/00174on March 20, 1997

and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(c) or Section 365(b) of any foreign and/or international application(s) for patent or inventor's certificate or Section 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or Inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

COUNTRY (If PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
AUSTRALIA	PN8810	March 20, 1998	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
AUSTRALIA	PN8811	March 20, 1996	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
AUSTRALIA	PN8812	March 20, 1996	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
AUSTRALIA	PN8814	March 20, 1996	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

PRIOR PROVISIONAL APPLICATION(S):

Application Number	Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §65(c) of any PCT International application(s) designating the United States or China that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

U.S. APPLICATIONS		STATUS (Check One)		
U.S. Application Number	U.S. Filing Date	Patented	Pending	Abandoned
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT Application No.	PCT Filing Date	U.S. Serial Numbers Assigned (If any)		

POWER OF ATTORNEY: As named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Edward A. Becker, Reg. No. 37,777; Stephen A. Becker, Reg. No. 26,527; John G. Bisbikis, Daniel Bucca, Reg. No. 42,368; Reg. No. 37,095; Kenneth L. Cage, Reg. No. 26,151; Stephen C. Carlson, Reg. No. 39,929; Paul Devinsky, Reg. No. 28,553; Laura A. Donnelly, Reg. No. 38,435; Margaret M. Duncan, Reg. No. 30,879; Brian E. Ferguson, Reg. No. 36,801; Michael F. Fogarty, Reg. No. 36,139; Wilhelm F. Gadiano, Reg. No. 37,136; Keith E. George, Reg. No. 34,111; John A. Hankins, Reg. No. 32,029; Thomas A. Jolly, Reg. No. 39,241; Eric J. Kraus, Reg. No. 36,190; Edward E. Kubaslewicz, Reg. No. 30,020; Patrick B. Law, Reg. No. 41,549; Robert E. LeBlanc, Reg. No. 37,219; Jack Q. Lever, Reg. No. 28,149; Raphael V. Lupo, Reg. No. 28,363; Christine F. Martin, Reg. No. 39,762; Michael E. McCabe, Jr., Reg. No. 37,182; James H. Meadows, Reg. No. 33,965; Michael A. Messina, Reg. No. 33,424; Eugene J. Molinelli, Reg. No. 42,901; Joseph H. Paquin, Jr., Reg. No. 31,647; Craig L. Plastrik, Reg. No. 41,254; Robert L. Price, Reg. No. 22,685; Paul A. Roberts, Reg. No. 40,289; Gene Z. Robinson, Reg. No. 33,351; Joy Ann G. Serauskas, Reg. No. 27,952; Michele M. Schafer, Reg. No. 34,717; David J. Serbin, Reg. No. 30,589; Glenn Snyder, Reg. No. 41,428; Arthur J. Steiner, Reg. No. 26,106; David L. Stewart, Reg. No. 37,578; Leonid D. Thenor, Reg. No. 39,397; Keith J. Townsend, Reg. No. 40,358; Leon R. Turkevich, Reg. No. 34,035; Christopher D. Ward, Reg. No. 41,367; Damian G. Wasserbauer, Reg. No. 34,749; Aaron Weisstuch, Reg. No. P41,557; Edward J. Wisa, Reg. No. 34,523; Alexander V. Yampolsky, Reg. No. 36,324; and Robert W. Zelnick, Reg. No. 36,976, all of McDermott, Will & Emery.

Send Correspondence to: McDERMOTT, WILL & EMERY 99 Canal Center Plaza, Suite 300 Alexandria, Virginia 22314		Direct Telephone Calls to: (name and telephone number) (202) 755-8600	
201	Full Name of Inventor	Family Name BROWN	First Given Name Jan
	Residence and Citizenship	City Tamworth	State or Foreign Country New South Wales, AUSTRALIA
	Post Office Address	Post Office Address 2 Melissa Avenue	City Tamworth
202	Full Name of Inventor	Family Name CONWAY	First Given Name Patricia
	Residence and Citizenship	City La Perouse	State or Foreign Country New South Wales, AUSTRALIA
	Post Office Address	Post Office Address 22 Goorawahl Avenue	City La Perouse
203	Full Name of Inventor	Family Name EVANS	First Given Name Anthony
	Residence and Citizenship	City Pennant Hills	State or Foreign Country New South Wales, Australia
	Post Office Address	Post Office Address 75 Blackbutt Avenue	City Pennant Hills

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 201: <i>[Signature]</i>	Signature of Inventor 202: <i>[Signature]</i>	Signature of Inventor 203: <i>[Signature]</i>
Date 4 th December 1998	Date 14 th December 1998	Date 21 st December 1998

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or 35 U.S.C. §165(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

U.S. APPLICATIONS		STATUS (Check One)		
U.S. Application Number	U.S. Filing Date	Patented	Pending	Abandoned
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT Application No.	PCT Filing Date	U.S. Serial Numbers Assigned (if any)		

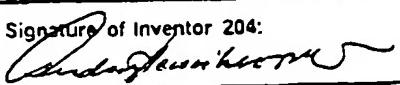
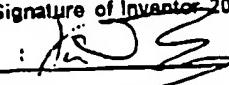
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Send Correspondence to:

McDERMOTT, WILL & EMERY
99 Canal Center Plaza, Suite 300
Alexandria, Virginia 22314

204	Full Name of Inventor	Family Name HENRIKSSON	First Given Name Karl	Second Given Name Anders Olof
	Residence and Citizenship	City Bellevue Hill	State or Foreign Country New South Wales, AUSTRALIA	Country of Citizenship AUSTRALIA
	Post Office Address	Post Office Address 10/174 Old South Head Road	City Bellevue Hill	State & Zip Code/Country New South Wales, 2023, AUSTRALIA
205	Full Name of Inventor	Family Name MCNAUGHT	First Given Name Kenneth	Second Given Name J.
	Residence and Citizenship	City Cottage Point	State or Foreign Country New South Wales, AUSTRALIA	Country of Citizenship AUSTRALIA
	Post Office Address	Post Office Address 10 Cottage Point Road	City Cottage Point	State & Zip Code/Country New South Wales, 2084, AUSTRALIA
206	Full Name of Inventor	Family Name WANG	First Given Name Xin	Second Given Name
	Residence and Citizenship	City Randwick	State or Foreign Country New South Wales, AUSTRALIA	Country of Citizenship AUSTRALIA
	Post Office Address	Post Office Address 4/121 Avoca Street	City Randwick	State & Zip Code/Country New South Wales, 2032, AUSTRALIA

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Signature of Inventor 204: 	Signature of Inventor 205: 	Signature of Inventor 206: 
Date 18 December 1998	Date 4 Dec - 98	Date 4 Jan 1999